

Prepared by: Community Development Dept., Council Bluffs, IA 51503 – Phone: (712) 890-5350  
Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 – Phone: (712) 890-5261

**RESOLUTION NO. 22-232**

**A RESOLUTION OF INTENT TO RELEASE A PERMANENT AND PERPETUAL EASEMENT GRANTED FOR UTILITY PURPOSES OVER A SECTION OF 45<sup>TH</sup> AVENUE RIGHT-OF-WAY LYING WEST OF GIFFORD ROAD AND SOUTH OF VETERANS MEMORIAL HIGHWAY (U.S. HWY 275) AND BEING LEGALLY DESCRIBED AS A PORTION OF PARCELS 21219 AND 21220 OF THE SE1/4 NE1/4 AND A PORTION OF THE NE1/4 SE1/4, ALL IN SECTION 15-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED ON ATTACHMENT ‘B’.**

**WHEREAS,** Eyman Investments, LLC and T C Accommodator 274, LLC have requested to release a permanent and perpetual utility easement reserved over the southerly portion of vacated 45<sup>th</sup> Avenue, being legally described as a portion of Parcels 21219 and 21220 of the SE1/4 NE1/4, and a portion of NE1/4 SE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described in Attachment ‘B’ of the case file located in the Council Bluffs Community Development Department; and

**WHEREAS,** this City Council hereby declares its intent to consider release of this easement by conveying all of its easement interest to the abutting property owner(s).

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That this City Council hereby declares its intent to consider disposition of the above described easement interests; and

**BE IT FURTHER RESOLVED**

That a public hearing on the City’s intent to release said permanent and perpetual easement is hereby set for October 10, 2022.

ADOPTED

AND

APPROVED:

September 26, 2022.

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Matthew J. Walsh,

Mayor

ATTEST:

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Jodi Quakenbush,

City Clerk